
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

UTAH PHYSICIANS FOR A HEALTHY
ENVIRONMENT,

Plaintiff,

v.

DIESEL POWER GEAR LLC, 4X4
ANYTHING LLC, B&W AUTO LLC,
SPARKS MOTORS LLC, DAVID W.
SPARKS, DAVID KILEY, JOSHUA
STUART, and KEATON HOSKINS,

Defendants.

**ORDER DENYING DEFENDANTS’
MOTION FOR SETTLEMENT
CONFERENCE**

Case No. 2:17-cv-32

Chief Judge Robert J. Shelby

Magistrate Judge Dustin B. Pead

Before the court is Defendants’ “Motion for Settlement Conference.”¹ Over the objection of Plaintiff, Defendants request the court to order a post-trial settlement conference with Magistrate Judge Paul M. Warner.² This would be the second settlement conference with Judge Warner.³ At the close of the first settlement conference, “the parties requested additional time to conduct further settlement negotiations, with the potential of reconvening the settlement conference.”⁴ The parties were “unable to reach a settlement,” and the matter proceeded to trial.⁵

At the close of the three-day bench trial, the court indicated that it would not order the parties to reconvene their settlement conference with Judge Warner.⁶ However, the court

¹ Dkt. 166.

² *See id.* at 1.

³ *See* Dkt. 138.

⁴ *Id.*

⁵ *Id.*

⁶ *See* Dkt. 160 at 214:13–15.

explained it would “refrain from issuing my findings and conclusions for at least 14 days after you submit your post-trial briefs, so that you all have a chance to think and press pause and meditate on what has happened here in the courtroom and the evidence and testimony we have received and the exhibits the court has received and the court’s prior rulings.”⁷ The purpose of this 14 day window is to provide the parties an opportunity to come to *a joint settlement*. The court accordingly declines to order a post-trial settlement conference over the objection of Plaintiff. Defendants’ Motion⁸ is DENIED.

SO ORDERED this 16th day of January 2020.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'RJS', is written over a horizontal line.

ROBERT J. SHELBY
United States Chief District Judge

⁷ See Dkt. 160 at 215:12–18.

⁸ Dkt. 166.